

REC'D BY  
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JUL 01 2002

CITY OF ELKO  
SCOTT COUNTY, MINNESOTAORDINANCE NO. 108**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF  
THE CITY OF ELKO TO INCLUDE CERTAIN  
UNINCORPORATED LAND (60 ACRES OR LESS) ABUTTING  
UPON THE CITY LIMITS**

**WHEREAS**, a certain petition requesting annexation of the real property ("Subject Property") hereinafter described was duly presented to the council on the 18th day of June, 2002; and

**WHEREAS**, pursuant to Minn. Stat. § 414.033, subd. 2b, the Elko City Council has conducted a public hearing preceded by 30 days' written notice to consider the annexation petition.

**WHEREAS**, the petition was signed by all owners of the Subject Property ("Petitioner"); and

**WHEREAS**, the Subject Property is not presently within the corporate limits of any incorporated city; and

**WHEREAS**, the Subject Property abuts upon the city limits; and

**WHEREAS**, the Subject Property is 60 acres or less; and

**WHEREAS**, recent legislative changes have dissolved the Municipal Board and transferred its responsibilities to the Office of Strategic and Long-Range Planning. Throughout this Ordinance, reference continues to be made to the Municipal Board since the legislature has not yet modified Minnesota Statutes Chapter 414 to fully reflect the 1999 changes. In all respects, the use of the term Municipal Board and reference to Minn. Stat. Chapter 414 shall be read to apply to the Municipal Boundary Adjustment Division of the Office of Strategic and Long-Range Planning as the successor to the Municipal Board's responsibilities in administering the provisions of state law regarding orderly annexation agreements and to subsequent amendments to state law.

**THE CITY COUNCIL OF THE CITY OF ELKO ORDAINS:**

**Section 1. Validity of Petition.** The City Council hereby finds (1) that the Subject Property abuts upon the city limits; and (2) the Subject Property is 60 acres or less; and (3) the Subject Property is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and (4) the Subject Property is now or about to become urban or

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suburban in character.

**Section 2. Subject Property Annexed.** The corporate limits of the City of Elko are hereby extended to include the real property legally described in the attached Exhibit "A" now owned by Petitioner, and the same is hereby annexed to and included within the City as effectually as if it had originally been part of the City.

**Section 3. Filing.** The City Clerk is directed to file certified copies of this ordinance with the Secretary of State, the County Auditor, the Town Clerk of the affected township and the Municipal Board.

**Section 4. Effective Date of Annexation.** This ordinance takes effect upon its passage and publication and the filing of certified copies as directed in Section 3, and approval of this Ordinance by the Municipal Board.

ADOPTED this 18 day of June, 2002, by the City Council of the City of Elko.

CITY OF ELKO

BY:

Carolyn Miller  
Carolyn Miller, Mayor

ATTEST:

Patricia Nutt  
Patricia Nutt, City Clerk

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**EXHIBIT "A"**

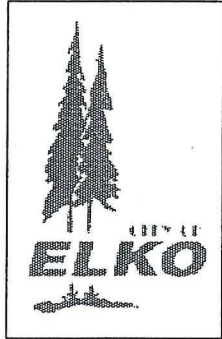
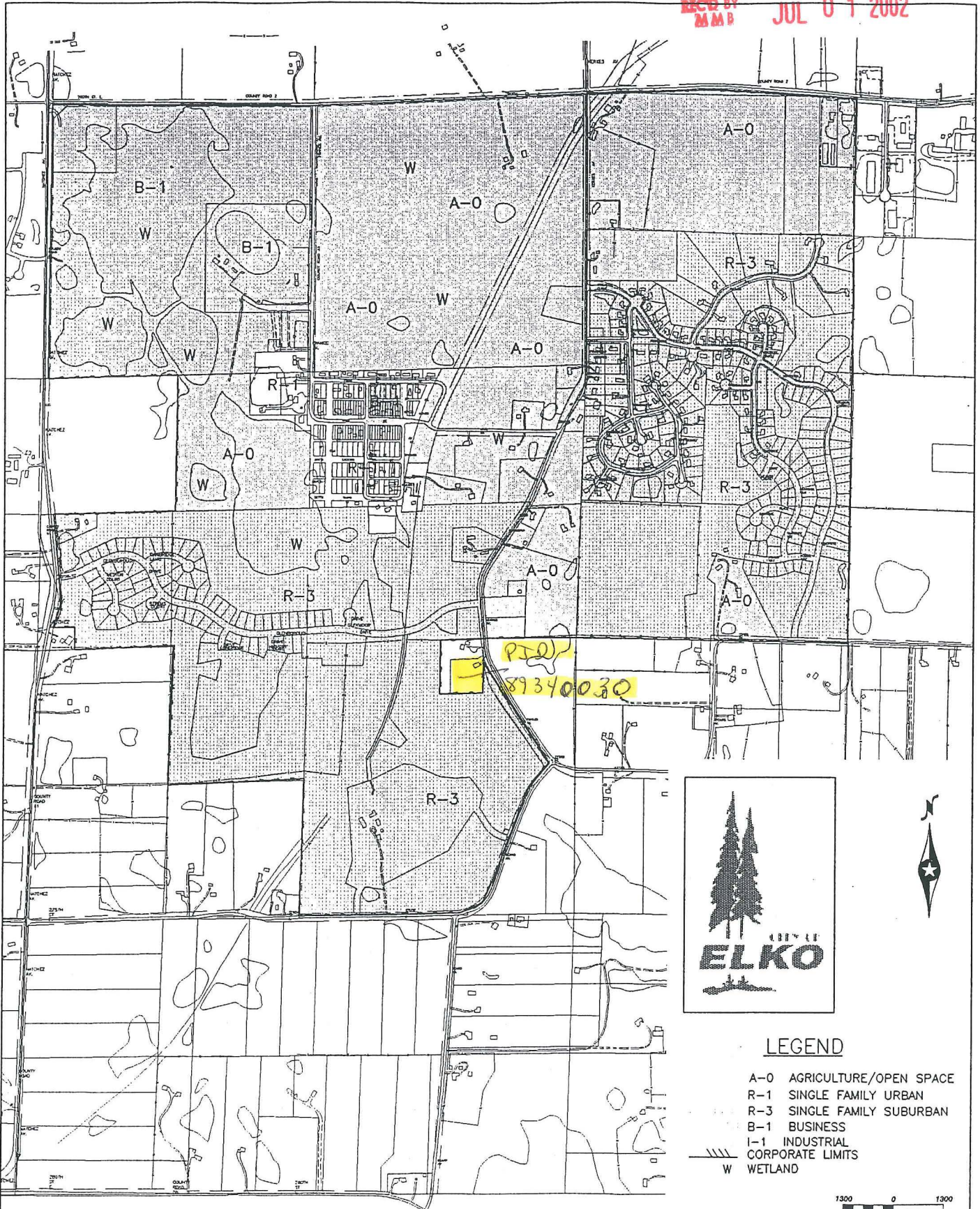
Legal Description of Subject Property to be Annexed:

That part of the East One-half of the Northeast Quarter of Section 34, Township 113, Range 21, Scott County, Minnesota described as follows:

Commencing at the Northwest corner of the East half of the Northeast Quarter, section 34, Township 113, Range 21, thence due East on the North line of Section 34, 25 rods, thence due South and parallel with the East line of section 34, a distance of 32 rods, thence due West and parallel with the North line of said Section 34, 25 rods, thence North to the place beginning.

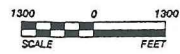
*Erasmus*

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**LEGEND**

- A-0 AGRICULTURE/OPEN SPACE
- R-1 SINGLE FAMILY URBAN
- R-3 SINGLE FAMILY SUBURBAN
- B-1 BUSINESS
- I-1 INDUSTRIAL
- Corporate Limits
- W WETLAND



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**ELKO ZONING MAP**